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## **New York Enacts Safe Mentoring Act: Mentoring Programs Now Permitted To Fingerprint Prospective Employees And Volunteers**

Where the law can be found: N.Y. Soc. Serv. Law § 390-e.

When the law takes effect: April 1, 2007.

What the law says: Mentoring programs, including not-for-profit corporations that match youth with adult volunteers for the purpose of providing positive role models, may now perform a criminal history record check on prospective employees and mentors by submitting fingerprints to the New York State Division of Criminal Justice Services.

Who may be fingerprinted: A prospective employee or mentor who may engage in unsupervised activities with youth or in activities with youth in a setting without constant agency or parental oversight. A prospective employee means anyone who is being considered for employment by a mentoring program. A prospective mentor means anyone applying to volunteer to help a child or group of children in a mentoring program.

What procedure must be followed: The law requires that mentoring programs establish a uniform policy and procedure for completing criminal background checks of prospective employees and mentors.

Parental Notification Provision: The law also requires that every mentoring program provide each custodial parent or guardian of every participating child with a description of the kind of criminal background checks conducted by the mentoring program.

*This alert is meant to provide general information only, not legal advice. The Safe Mentoring Act contains specific requirements and details not included here, including how to evaluate information received through a criminal background check. Please contact Maria Cilenti at Lawyers Alliance for New York at (212) 219-1800, x 222 for further information.*

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